



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/872,686

05/31/2001

G. Eric Engstrom

112076-138340

2508

25943

7590

09/24/2010

Schwabe Williamson & Wyatt
PACWEST CENTER, SUITE 1900
1211 SW FIFTH AVENUE
PORTLAND, OR 97204

EXAMINER

TRUONG, CAM Y T

ART UNIT

PAPER NUMBER

2169

MAIL DATE

DELIVERY MODE

09/24/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/872,686	Applicant(s) ENGSTROM, G. ERIC	
	Examiner Cam Y T. Truong	Art Unit 2169	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-17 and 29-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-17, 29-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant has amended claims 1-5, 7-17, 29-33 in the amendment filed on 7/12/2010.

Claims 1-5, 7-17, 29-33 are pending in this Office Action.

Response to Arguments

2. Applicant's arguments filed 7/12/2010 have been fully considered but they are not persuasive.

A 37 CFR 1.131 Declaration is submitted herewith swearing behind the effective date of Elsey, namely December 21, 2000.

Applicant argued that Elsey claims priority to a provisional patent application (US 60/257,913) filed on December 21, 2000. Through a chain of applications, Elsey also claims priority to US 09/441,656 (now USP 6,870,921), filed on November 12, 1999. However, the '656 application does not provide any teaching to support the rejections for which Elsey is utilized. The '656 application is directed to telephone directory services and systems and establishing private directories within such a directory system. The '656 application does not teach or suggest "receiving by a computing device a designation of one or more access privileges to access a calendar; receiving by the computing device an input or access request for a first time-slot of a plurality of time-slots of the calendar, wherein the one or more access privileges are defined for specific time-slots of the plurality of time-slots of the calendar independent of whether there are any events scheduled on the calendar during the specific time-slots, and if there are events scheduled on the calendar during the specific time- ...";

Art Unit: 2169

thus, the one or more access privileges" as recited in claim 33. Thus, the effective date of Elsey is December 21, 2000.

Examiner agreed that the effective data of Elsey is 12/21/2000.

Applicant argued that the rejection for Claims 1-5, 8-17, and 29-34 Vincent (US 4,881,179), in view of Barnett (US 6,369,840) and Elsey and the rejection Claims 33 and 34 under 35 USC 102(e) over Elsey (US 2009/0156178) are based on the Declaration Pursuant to 31 CFR. 1.131 on 7/12/2010 for removing the prior art Elsey (US 20090156178).

Examiner respectfully disagrees. Examiner also indicates that the declaration under 37 C.F.R. § 1.131 filed on 7/12/2010 has been fully considered but is ineffective to overcome Elsey (US 20090156178) as prior art for the instant application with the same reason as indicated in the office action mailed on 5/7/2010.

In addition: Applicant is attempting to show conception of invention prior to the effective date of Elsey (US 20090156178) 12/21/2000 with diligence from just prior to the reference date, 5/31/2001 the effective filing date of the instant application.

I. Conception

The affidavit or declaration and exhibits must clearly explain which facts or data applicant is relying on to show completion of his or her invention prior to the particular date. Vague and general statements in broad terms about what the exhibits describe along with a general assertion that the exhibits describe a reduction to practice "amounts

Art Unit: 2169

essentially to mere pleading, unsupported by proof or a showing of facts” and, thus, does not satisfy the requirements of 37 CFR 1.131(b). In re Borkowski, 505 F.2d 713, 184 USPQ 29 (CCPA 1974). Applicant must give a clear explanation of the exhibits pointing out exactly what facts are established and relied on by applicant. 505 F.2d at 718-19, 184 USPQ at 33. See also In re Harry, 333 F.2d 920, 142 USPQ 164 (CCPA 1964) (Affidavit “asserts that facts exist but does not tell what they are or when they occurred.”). See MPEP 715.07 General Requirements

b. To establish conception, the declaration states in numbered paragraph #3 containing Exhibit 1 that is a photocopy of a draft patent application prepared on 7/5/2000 and shows the inventor was misidentified as Swain Porter due to a clerical error. Exhibits 2, 3, 4, 5, 6, 7 are photocopies of a draft patent application prepared on or before 3/16/2001.

These are a vague and general statement, which describes in broad terms what the exhibits show. It is no more than a general statement that the exhibit supports the conception. This amounts to mere pleading. This is not a clear explanation. Thus applicant has not met his burden of clearly showing how the submitted evidence supports conception of the invention.

c. The examiner has reviewed the exhibits and finds that they are not sufficiently detailed that they may support conception given a properly structured affidavit, which provides a clear explanation of how the exhibits establish conception of the claimed invention.

II. Diligence

d. Where conception prior to the reference date has not been clearly established diligence need not be considered [See MPEP 715.07(a).] However, in the interest of expediting prosecution the Examiner will provide further guidance regarding the deficiencies in the attempted showing of diligence.

e. The critical period for which diligence must be shown is from just before 12/21/2000 (the effective date of Elsey US 20090156178 until 5/31/2001, the effective filing date of the instant application. It appears that the evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the reference to a constructive reduction to practice of the instant invention. The entire period during which diligence is required must be accounted for by either affirmative acts or acceptable excuses. [See MPEP 2138.06].

f. Where conception occurs prior to the date of the reference, but reduction to practice is afterward, it is not enough merely to allege that applicant or patent owner had been diligent. *Ex parte Hunter*, 1889 C.D. 218, 49 O.G. 733 (Comm'r Pat. 1889). Rather, applicant must show evidence of facts establishing diligence. (MPEP 715.07(a))

Art Unit: 2169

g. As proof of diligence, on paragraphs 3, 5-8 appear to be relying on statements for Exhibits such as "Exhibit 1, the inventor was misidentified as Swain Porter, although I am the true inventor of the subject matter of the application. Exhibit 2 is a photocopy of a draft patent application prepared on or about July 7, 2000, along with various patent drawings prepared on or about July 7, 2000, and as provided to me for review. 7. To the best of my recollection, and as further refreshed by attached Exhibit a copy of US Patent Application 09/872,686 as filed, I reviewed and provided; Exhibit 3 is a photocopy of a draft patent application prepared on or about March 16, 2001. Exhibit 4 is a photocopy of a draft patent application prepared on or about April 2, 2001. Exhibits 3 and 4 were provided to me for my review and commentary; Exhibit 5 is a Declaration provided by AI AuYeung supporting the statements *made above*".

However, the Exhibits 1-7 have no dated to prove before prior to December, 21, 2000. Also, applicant provided Exhibits 1-7 evidence for establishing diligence during 7/5/2000 to 7/7/2000, 3/16/2001-4/2/2001. Applicant failed to provide any evidence for establishing diligence during the period of 7/7/2000 until 3/16/2001. Once again, the statement is insufficient. No evidence is provided.

In addition, in paragraph 4, applicant declares that " I worked diligently with patent counsel, namely AI AuYeung, at Blakely, Sokoloff, Taylor and Zafman and then at Columbia IP Law Group (a firm that has since combined with the present prosecuting firm, *Schwabe, Williamson & Wyatt*) from at least prior to December 21, 2000, until the filing date of the above-captioned application on May 31, 2001, to constructively reduce

Art Unit: 2169

my invention to practice with the filing of the above-captioned application” , once the statement is insufficient. No evidence is provided.

As stated above the mere allegation is not sufficient to establish diligence.

h. If applicant wishes to rely on attorney diligence a statement from the attorney may be needed. See MPEP 2138.06.

For the above reasons, examiner believes that the prior art Elsey is considered as a proper prior art and the rejection of the last office action is proper.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 33 is rejected under 35 U.S.C. 102(e) as being anticipated by Elsey et al (or hereinafter "Elsey") (US 20090156178).

As to claim 33, Elsey teaches a computer implemented method comprising:
receiving by a computing device a designation of one or more access privileges to access a calendar (paragraph 0040-0043);

receiving by the computing device an input or access request for a first time-slot of a plurality of time-slots of the calendar (paragraphs 0099-0100, fig. 19);

wherein the one or more access privileges are defined for specific time-slots of the plurality of time-slots of the calendar independent of whether there are any events scheduled on the calendar during the specific time-slots (fig. 19, paragraphs 0097-0100);

and if there are events scheduled on the calendar during the specific time-slots, independent of any access privileges defined for such events (paragraphs 0097-0100);
and

processing by the computing device said received input or access request in accordance with the one or more access privileges (paragraphs 0100, 0101).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2169

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5, 8-17, 29-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vincent (US 4881179) in view of Barnett et al (or hereinafter "Barnett") (US 6369840) and Elsey et al (or hereinafter "Elsy") (US 20090156178).

As to claim 1, Vincent teaches the claimed limitations:

"receiving by a computing device an input for a first time-slot of a plurality of time-slots of a first party's calendar from a second party" as receiving a non-owner or a user first enters the start time and end times of the event being calendared into columns 47 and 48 of a owner's L.M. The owner L.M is represented as a first party. The non-owner is represented as a second party (col. 9, lines 30-32; col. 10, lines 22-30),

"the first and second parties being different parties" as the non-owner or a user and the owner are being different owners (col. 9, lines 30-32; col. 10, lines 22-30),

"the second party being associated with a group affiliation or a user type or both" as the non-owner or a user is associated with work group meeting (fig. 4A, col. 9, lines 30-32; col. 10, lines 22-30),

"the group affiliation or user type or both having one or more defined access privileges" as the work group meeting having a access privilege at 2pm to 3pro. A non-owner who has requested a view of the day calendar of L.M. User that was shown in figs. 4A and 4B. The requesting non-owner has an access level of 3 so that all time

Art Unit: 2169

slots having calendared events are shown and all descriptions except secret and personal are displayed. The above information shows that the system process user's input. The non-owner is not associated with group affiliation and/or user time (fig. 4A, col. 9, lines 53-67 ; col. 10, lines 1-15),

"wherein the one or more defined access privileges are defined for specific time-slots of the plurality of time-slots of the first party's calendar " as 5 levels of access permission not including the access permission level established for an owner to view his own calendar that includes time slots. The above information shows that the system defined access levels for time slots of the calendar (col. 9, lines 60-67; col. 10, lines 3-5).

Vincent does not explicitly teach the claimed limitations:

"independent of whether there are any events scheduled on the first party's calendar during the specific time-slots;

processing by the computing device said received input in accordance with the access privilege of the second party's associated group affiliation or user type or both for the first time-slot;

if there are events scheduled on the first party's calendar during the specific time-slots, independent of any access privileges defined for such events."

Barnett teaches "independent of whether there are any events scheduled on the first party's calendar during the specific time-slots; processing by the computing device said received input in accordance with the access privilege of the second party's

Art Unit: 2169

associated group affiliation or user type or both for the first time-slot" as after a user clicks on one or more box 904 in time slots as shown in fig. 9 and then clicks on button 807, the events are added to user calendar according to access privilege for the time slots (figs. 14& 9, col. 12, lines 30-41; col. 7, lines 55-65; col. 28, lines 90-65).

Elsey teaches "if there are events scheduled on the first party's calendar during the specific time-slots, independent of any access privileges defined for such events" as [0045] an operator to whom a user (i.e., a read-only subscriber, administrator, or owner) of a contacts (appointment) folder corresponds is provided at least the same access rights to the folder as the user. Thus, if the operator corresponds to a "read-only" subscriber, the operator may only view the contacts (appointments) folder but not change it. On the other hand, if the operator corresponds to an owner of the folder, the operator has full access rights to the folder. [0041] Thus, in the first instance, the owner of a contacts or appointments folder is the only subscriber and has sole access to the folder. The owner can appoint additional subscribers to the folder, e.g., read-only subscribers and administrators, and can also remove them later. A read-only subscriber can view or read the folder entries, but cannot make changes thereto. An administrator has, in addition to the viewing rights, rights to modify the folder, but no right to delete the folder. An administrator can also appoint or remove read-only subscribers, but not administrators, to or from the folder. [0096] As described before, an owner of an appointments folder by default is the only person authorized to view and edit his/her own calendar. However, the owner may also grant other users rights to access the appointments folder.

Access rights may have different levels. A user may be granted "read-only" access rights, who is allowed to view certain appointment entries only. For example, the read-only subscriber is generally allowed to view the date, time and title (or subject) of an appointment record, but cannot open the record and view or edit any details thereof. In addition, the read-only subscriber may not even be allowed to view the title of a personal appointment record. Nor can the read-only user add or delete any appointment records. On the other hand, a user granted "administrator" access rights is generally allowed to view, edit, add or delete appointment records, except for a personal appointment record, in which case the administrator-user can only view the appointment date and time of the personal record. In addition, the administrator-user is allowed to grant the read-only access rights to others, or restrict or revoke such access rights (fig. 17).

The above information shows that access rights are defined independent to events for time-slots of owner's calendar.

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barnett's teaching of after a user clicks on one or more box 904 in time slots as shown in fig. 9 and then clicks on button 807, the events are added to user calendar according to access privilege for the time slots and Elsey's teaching of access rights are defined independent to events for time-slots of owner's calendar to Vincent's system in order to allow a user to add information from an owner's calendar to his or her calendar in sequence of time accordance with a security

Art Unit: 2169

access level to prevent network traffic or to prevent copying owner's information without permission.

As to claim 2, Vincent, Barnett, Elsey teaches the claimed limitation subject matter "defining, before said receiving, the access privileges of the group affiliation or both or user type, for the plurality of time-slots of said calendar; independent of whether there are any events scheduled on the first party's calendar during the specific time-slots, and if there are events scheduled on the first party's calendar during the specific time-slots, independent of any access privileges defined for such events" (Barnett teaches as a user can set up a group calendar, specifying the members in the group, where every group member can access the calendar and make changes to it different levels of access can be specified for different member members of the group (col. 2, lines 61-64). (Elsey: Access rights may have different levels. A user may be granted "read-only" access rights, who is allowed to view certain appointment entries only. For example, the read-only subscriber is generally allowed to view the date, time and title (or subject) of an appointment record, but cannot open the record and view or edit any details thereof. In addition, the read-only subscriber may not even be allowed to view the title of a personal appointment record. Nor can the read-only user add or delete any appointment records. On the other hand, a user granted "administrator" access rights is generally allowed to view, edit, add or delete appointment records, except for a personal appointment record, in which case the administrator-user can only view the appointment date and time of the personal record.

Art Unit: 2169

In addition, the administrator-user is allowed to grant the read-only access rights to others, or restrict or revoke such access rights (fig. 17; paragraphs 0041, 0045, 0069)).

As to claim 3, Vincent Barnett, Elsey teaches the claimed limitation "wherein the access Privileges include a first access privilege with an ability to read data of said first time- slot, and an ability to write data into the first time-slot slot, independent of whether there are any events scheduled on the first party's calendar during the first time-slot, and if there are events scheduled on the first party's calendar during the first time-slot, independent of any access privileges defined for such events" as (Vincent: figs. 4A and 5; Barnett: col. 2, lines 61-64; Elsey: fig. 17, paragraphs 0041, 0045, 0069).

As to claim 4, Vincent teaches the same claimed limitation subject matter as discussed in claim 1, Vincent further the claimed limitations:

"receiving a request for calendar entry or entries for a first time-slot of a plurality of time-slots of a first party's calendar, wherein the request is submitted by a second party associated with a group affiliation or user type or both" as a non-owner who has requested a view of the day calendar of L.M. User that was shown in figs. 4A and 4B.

The requesting non-owner has an access level of 3 so that all time slots having calendared events are shown and all descriptions except secret and personal are displayed. The above information shows that the system process user's input. The non-owner is not associated with group affiliation and/or user time (col. 53-67; col. 10, lines 1-15),

Art Unit: 2169

"the first and second parties being different parties" as non-owner is different from the calendar's owner (col. 10, lines 20-30),

"the group affiliation or user type or both having one or more defined access privileges" as non-owner such as administrative assistant or secretary having a plurality of access levels to a owner calendar for the plurality of time- slots of the owner's calendar (col. 9, lines 53-67; col. 10, lines 20-38),

"wherein the one or more defined access privileges are defined for specific time-slots of the plurality of time-slots of the first-party's calendar " as there are 5 levels of access permission not including the access permission level established for an owner to view his own calendar that includes time slots. The above information shows that the system defined access levels for time slots of the calendar (col. 9,lines 60-67; col. 10, lines 3-5).

Vincent does not explicitly teach the limitations:

independent of whether there are any events scheduled on the first party's calendar during the specific time-slots; selectively providing calendar entry for the first time-slot, in accordance with the one or more defined access privileges of the group affiliation or user type or both for the first time-slot and if there are events scheduled on the first party's calendar during the specific time- slots, independent of any access privileges defined for such events.

Barnett teaches after a user clicks on one or more box 904 in time slots as shown in fig. 9 and then clicks on button 807, the events are added to user calendar

Art Unit: 2169

10, lines 20-40).

Barnett teaches a user can set up a group calendar, specifying the members in the group, where every group member can access the calendar and make changes to it. Different levels of access can be specified for different member members of the group (col. 2, lines 61-64).

Elsey teaches "if there are events scheduled on the first party's calendar during the specific time-slots, independent of any access privileges defined for such events" as [0045] an operator to whom a user (i.e., a read-only subscriber, administrator, or owner) of a contacts (appointment) folder corresponds is provided at least the same access rights to the folder as the user. Thus, if the operator corresponds to a "read-only" subscriber, the operator may only view the contacts (appointments) folder but not change it. On the other hand, if the operator corresponds to an owner of the folder, the operator has full access rights to the folder. [0041] Thus, in the first instance, the owner of a contacts or appointments folder is the only subscriber and has sole access to the folder. The owner can appoint additional subscribers to the folder, e.g., read-only subscribers and administrators, and can also remove them later. A read-only subscriber can view or read the folder entries, but cannot make changes thereto. An administrator has, in addition to the viewing rights, rights to modify the folder, but no right to delete the folder. An administrator can also appoint or remove read-only subscribers, but not administrators, to or from the folder. [0096] As described before, an owner of an appointments folder by default is the only person authorized to view

Art Unit: 2169

and edit his/her own calendar. However, the owner may also grant other users rights to access the appointments folder.

Access rights may have different levels. A user may be granted "read-only" access rights, who is allowed to view certain appointment entries only. For example, the read-only subscriber is generally allowed to view the date, time and title (or subject) of an appointment record, but cannot open the record and view or edit any details thereof. In addition, the read-only subscriber may not even be allowed to view the title of a personal appointment record. Nor can the read-only user add or delete any appointment records. On the other hand, a user granted "administrator" access rights is generally allowed to view, edit, add or delete appointment records, except for a personal appointment record, in which case the administrator-user can only view the appointment date and time of the personal record. In addition, the administrator-user is allowed to grant the read-only access rights to others, or restrict or revoke such access rights (fig. 17).

The above information shows that access rights are defined independent to events for time-slots of owner's calendar.

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barnett's teaching of after a user clicks on one or more box 904 in time slots as shown in fig. 9 and then clicks on button 807, the events are added to user calendar according to access privilege for the time slots and Elsey's teaching of access rights are defined independent to events for time-slots of owner's

Art Unit: 2169

calendar to Vincent's system in order to allow a user to add information from an owner's calendar to his or her calendar in sequence of time accordance with a security access level to prevent network traffic or to prevent copying owner's information without permission.

As to claim 5 is rejected under same reason as discussed in claims 1-4, Vincent further teaches the claimed limitation "defining, before said receiving, the access privileges of the group affiliation or user type or both, for the time-slots of said calendar" as displaying to a non-owner who has requested a view of the day calendar of LM. The requesting non-owner has an access level of 3 so that all time slots having calendared events are shown and all descriptions except secret and personal are displayed. The calendar owner allow a specified person to have access to his calendar at a specified security level which may be different that the general access level that has been assigned to that person by the system. This function allows a calendar owner to grant access to his calendar to an administrative assistant or secretary. The above information shows that the system defines time slots of the calendar. The system does not define the access privileges of the group affiliation (col. 10, lines 20-40).

Vincent does not explicitly teach the claimed limitation:

group affiliation; independent of whether there are any events scheduled on the first party's calendar during the specific time-slots.

Art Unit: 2169

Barnett teaches a user can set up a group calendar, specifying the members in the group, where every group member can access the calendar and make changes to it. Different levels of access can be specified for different member members of the group (col. 2, lines 61-64).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barnett's teaching of a user can set up a group calendar, specifying the members in the group, where every group member can access the calendar and make changes to it. Different levels of access can be specified for different member members of the group to Vincent's system in order to allow a user to share selected calendar information with other users of a group in a security level access.

As to claim 8 includes the same claimed limitation as discussed in claim 1; thus claim 8 is rejected under same reason as discussed in claim 1, Vincent further teaches the claimed limitations:

"designating by a computing device one or more defined access privileges for a plurality of time-slots of a first party's calendar for a user group or user type or both" as designated a plurality of access levels to a plurality of time slots of a owner's calendar for an administrative assistant type and not for a user group (col. 9, lines 52- 67 ; col. 10, lines 1 -10),

"wherein the one or more defined access privileges are defined for specific time-slots of the plurality of time-slots of the first party's calendar" as there are 5 levels of access permission not including the access permission level established for an owner to view his own calendar that includes time slots. The above information shows that the system defined access levels for time slots of the calendar (fig. 4A, col. 9, lines 60-67; col. 10, lines 3-5),

"granting or denying access by the computing device to a first time-slot of the plurality of time-slots to said second party in accordance with the one or more defined access privileges for the first time-slot of the user group or type or both determined for said second party" as grant access to a owner's calendar of the plurality of time-slots in accordance with access level 3 for the start time slot of user type (col. 10, lines 20-40).

Vincent does not explicitly teach the claimed limitations "determining by said computing device that a second party is a member of said user group or type or both". Barnett teaches a user can set up a group calendar, specifying the members in the group, where every group member can access the calendar and make changes to it. Different levels of access can be specified for different member members of the group (col. 2, lines 61-64).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barnett's teaching of a user can set up a group calendar, specifying the members in the group, where every group member can access the calendar and make changes to it. Different levels of access can be specified for

Art Unit: 2169

different member members of the group to Vincent's system in order to allow a user to share selected calendar information with other users of a group in a security level access.

As to claim 9, Vincent does not explicitly teach the claimed limitation "wherein said second party has a user identification identifiable to the user group or user type or both".

Barnett teaches a user may elect to login at this point by providing input specifying a login identifier and password. This allows system 100 to retrieve user-specific information, by reference to a record stored in database 104 of the system. If the user has not used the system before, he or she is prompted to sign up in 302, by selecting a login identifier and password for future reference. A new record is created and stored for the user. The user is also given the option of signing up in a group using the group sign-up page 304, which allows the user to share his or her calendar with other members of selected groups. Page 303 contains a description of groups and their operation (col. 7, lines 45-67).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barnett's teaching of a user may elect to login at this point by providing input specifying a login identifier and password. This allows system 100 to retrieve user-specific information, by reference to a record stored in database 104 of the system. If the user has not used the system before, he or she is prompted to sign up in 302, by selecting a login identifier and password for future reference. A new

Art Unit: 2169

record is created and stored for the user. The user is also given the option of signing up in a group using the group sign-up page 304, which allows the user to share his or her calendar with other members of selected groups. Page 303 contains a description of groups and their operation to Vincent's system in order to allow a non-owner to access a owner's calendar for update owner's calendar.

As to claim 10, Vincent does not explicitly teach the claimed limitation "reading into said computing device said second party's user identification and said access privileges". Barnett teaches a user may elect to login at this point by providing input specifying a login identifier and password. This allows system 100 to retrieve user-specific information, by reference to a record stored in database 104 of the system. If the user has not used the system before, he or she is prompted to sign up in 302, by selecting a login identifier and password for future reference. A new record is created and stored for the user. The user is also given the option of signing up in a group using the group sign-up page 304, which allows the user to share his or her calendar with other members of selected groups. Different access can assign to different member of group. Page 303 contains a description of groups and their operation (col. 7, lines 45-67; col. 2, lines 60-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barnett's teaching of a user may elect to login at this point by providing input specifying a login identifier and password. This allows system 100 to retrieve user-specific information, by reference to a record stored in database 104 of the system. If the user has not used the system before, he or she is prompted to

Art Unit: 2169

sign up in 302, by selecting a login identifier and password for future reference. A new record is created and stored for the user. The user is also given the option of signing up in a group using the group sign-up page 304, which allows the user to share his or her calendar with other members of selected groups. Page 303 contains a description of groups and their operation to Vincent's system in order to allow a non-owner to access a owner's calendar for update owner's calendar.

As to claim 11, Vincent teaches the claimed limitation "including the computing device facilitating said first party in providing said use group or user type or both and said access privileges" as providing a plurality of access levels to a plurality of time slots of a owner's calendar for an administrative assistant type (fig. 5, col. 9, lines 52-67., col. 10, lines 1-10).

As to claim 12 includes the same claimed limitation subject matter as discussed in claims 1-4; thus, claim 12 is rejected under the same reason as discussed in claims 1-4, Vincent teaches the claimed limitation " including the computing device facilitating the second party in inputting data into the first time-slot, the user group or user type or both having an access privilege to the first time-slot including an ability to write data into the first time slot" as receiving a non-owner or a user first enters the start time and end times of the event being calendared into columns 47 and 48 of a owner's L.M. The owner L.M is represented as a first party. The non-owner is represented as a second party. The above information shows that the user (not user group) having an access privilege to write data into the start time slot (col. 9, lines 30-32., col. 10, lines 22-30).

Barnett teaches a user can set up a group calendar, specifying the members in the group, where every group member can access the calendar and make changes to it. Different levels of access can be specified for different member members of the group (col. 2, lines 61-64).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barnett's teaching of a user can set up a group calendar, specifying the members in the group, where every group member can access the calendar and make changes to it. Different levels of access can be specified for different member members of the group to Vincent's system in order to allow a user to share selected calendar information with other users of a group in a security level access.

As to claim 13, Vincent teaches the claimed limitation "wherein said calendar includes an event that spans the first and at least a second time-slot, and the method further comprises said computer system omitting descriptive data of said event when said second user accesses said first time slot, if said user group or user type or both does not has read access to all of said at least a second time-slot, even if said user group or user type or both has read access to said first time-slot" as (figs. 4A-5). As to claim 14, Vincent does not explicitly teach the claimed limitation " including the computer system facilitating the second user in editing data time-slot".

Art Unit: 2169

Barnett teaches a user can select individual event categories and/or subdivisions for display in Favorite Events pages 313-315. Selecting an event category in this manner is referred to as "subscribing" to the event category. Favorite Events pages 313-315 display selected events in either a Day View 313, a Week View 314, or a Month View 315. Pages 313-315 allow a user to select individual events from the selected categories, to be added to the personal calendar. The user can also access an Edit Favorites page 316 which allows him or her to add or remove categories and/or subdivisions from display in favorite Events pages 313-315. The user can set up a group calendar, specifying the members in the group, where every group member can access the calendar and make changes to it. Different levels of access can be specified for different members of the group. The user can also Tmport events from other users' calendars. In addition, purchases of products, services, or tickets can be effected using links associated with displayed events (col. 2, lines 55-67., col. 8, lines 30-40).

It would have been obvious to a person of an ordinary skill in the ad at the time the invention was made to apply Barnett's teaching of the user can select individual event categories and/or subdivisions for display in Favorite Events pages 313-315. Selecting an event category in this manner is referred to as "subscribing" to the event category. Favorite Events pages 313-315 display selected events in either a Day View 313, a Week View 314, or a Month View 315. Pages 313-315 allow a user to select individual events from the selected categories, to be added to the personal calendar. The user can also access an Edit Favorites page 316 which allows him or her to add

Art Unit: 2169

or remove categories and/or subdivisions from display in favorite Events pages

313-315. The user can set up a group calendar, specifying the members in the group, where every group member can access the calendar and make changes to it. Different levels of access can be specified for different members of the group. The user can also events from other users' calendars. In addition, purchases of products, services, or tickets can be effected using links associated with displayed events to Vincent's system in order to allow a user to specify categories of events, to view events belonging to the specified categories from outside sources, and to add selected events from the outside sources to a personal calendar.

As to claim 13, Vincent teaches the claimed limitation "wherein said calendar includes an event that spans the first and at least a second time-slot, and the method further comprises said computing device omitting descriptive data of said event when said second user accesses said first time slot, if said user group or user type or both does not has read access to all of said at least a second time-slot, even if said user group or user type or both has read access to said first time-slot" as (figs. 4A-5).

As to claim 14 includes the same claimed limitation subject matter as discussed in claims 1-4, thus, claim 14 is rejected under the same reason as discussed in claims 1-4, Vincent does not explicitly teach the claimed limitation " including the computing device facilitating the second user in editing datatime-slot".

Barnett teaches a user can select individual event categories and/or subdivisions for

Art Unit: 2169

display in Favorite Events pages 313-315. Selecting an event category in this manner is referred to as "subscribing" to the event category. Favorite Events pages 313-315 display selected events in either a Day View 313, a Week View 314, or a Month View 315. Pages 313-315 allow a user to select individual events from the selected categories, to be added to the personal calendar. The user can also access an Edit Favorites page 316 which allows him or her to add or remove categories and/or subdivisions from display in favorite Events pages 313-315. The user can set up a group calendar, specifying the members in the group, where every group member can access the calendar and make changes to it. Different levels of access can be specified for different members of the group. The user can also import events from other users' calendars. In addition, purchases of products, services, or tickets can be effected using links associated with displayed events (col. 2, lines 55-67., col. 8, lines 30-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barnett's teaching of the user can select individual event categories and/or subdivisions for display in Favorite Events pages 313-315. Selecting an event category in this manner is referred to as "subscribing" to the event category. Favorite Events pages 313-315 display selected events in either a Day View 313, a Week View 314, or a Month View 315. Pages 313-315 allow a user to select individual events from the selected categories, to be added to the personal calendar. The user can also access an Edit Favorites page 316 which allows him or her to add or remove categories and/or subdivisions from display in favorite Events pages

Art Unit: 2169

313-315. The user can set up a group calendar, specifying the members in the group, where every group member can access the calendar and make changes to it. Different levels of access can be specified for different members of the group. The user can also events from other users' calendars. In addition, purchases of products, services, or tickets can be effected using links associated with displayed events to Vincent's system in order to allow a user to specify categories of events, to view events belonging to the specified categories from outside sources, and to add selected events from the outside sources to a personal calendar.

As to claim 15, Vincent does not explicitly teach the claimed limitation "wherein first time-slot includes a time-slot of one specific date, a corresponding time-slot on each of a number of week days of a week, or a corresponding time-slot on each of a week day of a number of weeks". Barnett teaches time slot includes a time slot of a date corresponding to a number week days of a week (figs. 9 & 13).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Vincent's teaching of time slot includes a time slot of a date corresponding to a number week days of a week to Vincent's system in order to provide a improve method of scheduling meetings which permits an operator to select desired times, dates and attendees correctly.

As to claim 16, Vincent does not explicitly teach the claimed limitation "including the computing device facilitating the second user in categorizing a meeting, an appointment, a reminder, an event, an anniversary, categorizing a family event, a

Art Unit: 2169

school meeting, and a social event for said first user's calendar". Barnett teaches categorizing a meeting, an event in calendar of another user as shown in fig. 13. The above information shows it would have been obvious to categorizing different type of events such as school meeting, family event or anniversary (figs. 1-14).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barnett's teaching of categorizing a meeting, an event in calendar of another user to Vincent's system in order to provide an improved method of scheduling meetings which permits an operator to select desired times, dates and attendees correctly.

As to claim 17, Vincent teaches the claimed limitation "wherein granting and/or denying access is further based on an event type of an event to be read from or written into said first time-slot by said second party" as (col. 10, lines 40-60).

As to claim 29 includes the same claimed limitation subject matter as discussed in claim 1, thus, claim 29 is rejected under the same reason as discussed in claim 1, Vincent further teaches a non-transitory computer readable storage medium having instructions stored thereon that, in response to execution by a computing device (col. 6, lines 20-35), cause the computing device to:

"designate one or more defined access privileges to a plurality of time-slots of a first user's calendar for a user group or user type or both" as designated a plurality of access levels to a plurality of time slots of a owner's calendar for an administrative assistant type and not for a user group (col. 9, lines 52-67., col. 10, lines 1-10),

Art Unit: 2169

"grant or deny access to a first time-slot of the plurality of time-slots to said second user in accordance with the one or more defined access privileges for the first time-slot of the user group or type or both determined for said second user" as grant access to a owner's calendar of the plurality of time-slots in accordance with access level 3 for the start time slot of user type and not the user group (col. 10, lines 20-40),

"wherein the one or more defined access privileges are defined for specific time-slots of the plurality of time-slots of the first party's calendar" as there are 5 levels of access permission not including the access permission level established for an owner to view his own calendar that includes time slots. The above information shows that the system defined access levels for time slots of the calendar (col. 9, lines 60-67; col. 10, lines 3-5).

Vincent does not explicitly the claimed limitation "that a second user being a member of said user group or type or both". Barnett teaches a user can set up a group calendar, specifying the members in the group, where every group member can access the calendar and make changes to it. Different levels of access can be specified for different member members of the group (col. 2, lines 61-64).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barnett's teaching of a user can set up a group calendar, specifying the members in the group, where every group member can access the calendar and make changes to it. Different levels of access can be specified for different member members of the group to Vincent's system in order to allow a user to

Art Unit: 2169

share selected calendar information with other user of a group in a security level access.

As to claim 30, Vincent teaches the claimed limitation "perform said granting or denying access based on an event type of an event to be read from or written into said first time-slot by said second user" as (fig. 5, col. 10, lines 1-30).

As to claim 31 includes the same claimed limitation as discussed in claim 1, thus, claim 31 is rejected under the same reason as discussed in claim 1, Vincent further teaches the claimed limitations:

"a processor" as processor (col. 5, lines 67-68), and

"calendar module operated by the processor" as a calendar method operated by processor (col. 5, lines 60-67), and

"adapted to facilitate designating one or more defined access privileges to a plurality of time-slots of a first user's calendar for a user group or user type or both" as designated a plurality of access levels to a plurality of time slots of a owner's calendar for an administrative assistant type and not for a user group (col. 9, lines 52-67; col. 10, lines 1 - 10),

"granting or denying access to a first time-slot of the plurality of time-slots to said second user in accordance with one or more defined access privileges for the first time-slot of the user group or type or both determined for said second user" as grant access to a owner's calendar of the plurality of time-slots in accordance with access level 3 for the start time slot of user type and not the user group (col. 10, lines 20-40),

"wherein the one or more defined access privileges are defined for specific time-slots of the plurality of time-slots of the first party's calendar" as there are 5 levels of access permission not including the access permission level established for an owner to view his own calendar that includes time slots. The above information shows that the system defined access levels for time slots of the calendar (col. 9, lines 60-67; col. 10, lines 3-5).

Vincent does not explicitly teach the claimed limitation "determining that a second user is a member of said user group or type or both".

Barnett teaches a user can set up a group calendar, specifying the members in the group, where every group member can access the calendar and make changes to it. Different levels of access can be specified for different member members of the group (col. 2, lines 61- 64).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barnett's teaching to Vincent's system in order to allow a user to share selected calendar information with other users of a group in a security level access.

As to claim 32, Vincent teaches the claimed limitation "wherein the calendar module is further adapted to perform said panting and/or denying access based on an event type of an event to be read from or written into said first time-slot by said second user" as (col. 10, lines 1-30).

As to claim 33 includes the same limitation subject matter as discussed in claim 1; thus, claim 33 is rejected under the same reason as discussed in claim 1, Vincent further teaches a computer implemented method comprising:

receiving by a computing device a designation of one or more access privileges to access a calendar (col. 9, lines 30-32; col. 10, lines 22-30);

receiving by the computing device an input or access request for a first time- slot of a plurality of time-slots of the calendar (col. 9, lines 30-32; col. 10, lines 22-30);

processing by the computing device said received input or access request in accordance with the one or more access privileges (col. 9, lines 53-67; col. 10, lines 1-15).

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vincent (US 4881 179) in view of Barnett et al (or hereinafter "Barnett") (US 6369840) and Elsey et al (or hereinafter "Elsey") (US 20090156178) and further in view of Falkenhainer et al (or hereinafter "Falkenhainer") (US 5930801).

As to claim 7, Vincent teaches the claimed limitation "and an ability viewing an entry in said first time-slot; independent of whether there are any events scheduled on the first party's calendar during the first time-slot" as (fig. 5).

Vincent does not explicit teaches the claimed limitation "wherein the access privileges include an access privilege with an ability of writing an entry into said first time-slot " and "if there are events scheduled on the first party's calendar during the specific time- slots, independent of any access privileges defined for such events".

Falkenhainer "wherein the access privileges include an access privilege with an ability of writing an entry into said first time-slots" as access privilege with an ability of writing (fig. 2, col. 60-67).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Falkenhainer's teaching of access privilege with an ability of writing to Vincent's system in order to prevent non-authority user to modify an owner's calendar without permission and further to allow a owner of a record to update a entry in a record.

Elsey teaches "if there are events scheduled on the first party's calendar during the specific time-slots, independent of any access privileges defined for such events" as [0045] an operator to whom a user (i.e., a read-only subscriber, administrator, or owner) of a contacts (appointment) folder corresponds is provided at least the same access rights to the folder as the user. Thus, if the operator corresponds to a "read-

Art Unit: 2169

only" subscriber, the operator may only view the contacts (appointments) folder but not change it. On the other hand, if the operator corresponds to an owner of the folder, the operator has full access rights to the folder. [0041] Thus, in the first instance, the owner of a contacts or appointments folder is the only subscriber and has sole access to the folder. The owner can appoint additional subscribers to the folder, e.g., read-only subscribers and administrators, and can also remove them later. A read-only subscriber can view or read the folder entries, but cannot make changes thereto. An administrator has, in addition to the viewing rights, rights to modify the folder, but no right to delete the folder. An administrator can also appoint or remove read-only subscribers, but not administrators, to or from the folder. [0096] As described before, an owner of an appointments folder by default is the only person authorized to view and edit his/her own calendar. However, the owner may also grant other users rights to access the appointments folder.

Access rights may have different levels. A user may be granted "read-only" access rights, who is allowed to view certain appointment entries only. For example, the read-only subscriber is generally allowed to view the date, time and title (or subject) of an appointment record, but cannot open the record and view or edit any details thereof. In addition, the read-only subscriber may not even be allowed to view the title of a personal appointment record. Nor can the read-only user add or delete any appointment records. On the other hand, a user granted "administrator" access rights is generally allowed to view, edit, add or delete appointment records, except for a personal

Art Unit: 2169

appointment record, in which case the administrator-user can only view the appointment date and time of the personal record. In addition, the administrator-user is allowed to grant the read-only access rights to others, or restrict or revoke such access rights (fig. 17).

The above information shows that access rights are defined independent to events for time-slots of owner's calendar.

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Elsey's teaching of access rights are defined independent to events for time-slots of owner's calendar to Vincent's system in order to allow a user to add information from an owner's calendar to his or her calendar in sequence of time accordance with a security access level to prevent network traffic or to prevent copying owner's information without permission.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T. Truong whose telephone number is (571) 272-4042. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tony Mahmoudi can be reached on (571) 272-4078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Cam Y Truong/
Primary Examiner, Art Unit 2169